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NOTICE OF ALLOWANCE AND FEE(S) DUE

84326

7590

07/23/2009

AT & T LEGAL DEPARTMENT - Toler
ATTN: PATENT DOCKETING
ROOM 2A-207
ONE AT & T WAY
BEDMINSTER, NJ 07921

EXAMINER

HASSAN, RASHEDUL

ART UNIT

PAPER NUMBER

2179

DATE MAILED: 07/23/2009

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/753,097	01/07/2004	Philip T. Kortum	1033-LB1009	2743

TITLE OF INVENTION: SYSTEM AND METHOD FOR COLLABORATIVE CALL MANAGEMENT

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1510	\$300	\$0	\$1810	10/23/2009

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. **PROSECUTION ON THE MERITS IS CLOSED.** THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN **THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE** OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. **THIS STATUTORY PERIOD CANNOT BE EXTENDED.** SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: Mail **Mail Stop ISSUE FEE**
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Alexandria, Virginia 22313-1450
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INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

84326 7590 07/23/2009

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nonprovisional	NO	\$1510	\$300	\$0	\$1810	10/23/2009

EXAMINER	ART UNIT	CLASS-SUBCLASS
HASSAN, RASHEDUL	2179	345-751000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a **Customer Number is required.**

2. For printing on the patent front page, list

- (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, 1 _____
 (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed. 2 _____
 3 _____

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY AND STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☐ Corporation or other private group entity ☐ Government

4a. The following fee(s) are submitted:

- ☐ Issue Fee
☐ Publication Fee (No small entity discount permitted)
☐ Advance Order - # of Copies _____

4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above)

- ☐ A check is enclosed.
☐ Payment by credit card. Form PTO-2038 is attached.
☐ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number _____ (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature _____ Date _____
 Typed or printed name _____ Registration No. _____

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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Determination of Patent Term Adjustment under 35 U.S.C. 154 (b) (application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 694 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 694 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

Notice of Allowability**Application No.**

10/753,097

Applicant(s)

KORTUM ET AL.

Examiner

RASHEDUL HASSAN

Art Unit

2179

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendments filed on 04/01/2009.
2. ☒ The allowed claim(s) is/are 1-4, 6, 8-11, 15-33, 35, 36, 38 and 40-45.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
(a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
(b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Jason Moore, Registration No. 52,046 on 07/16/2009.

In the claims, **cancel claims 12 and 37**, and amend claims 1, 15, 23, 29, 38 and 41 as follows:

1. (Currently Amended) A collaborative call method comprising:

initiating presentation of a graphical user interface (GUI) element by a presentation engine to a device associated with a caller joining in a collaborative call, after the caller has been identified via voice recognition, the GUI element operable to display a listing of names of call participants associated with the collaborative call[[,]]
~~wherein the caller is identified via voice recognition;~~

~~updating information presented in the GUI element in response to a change in a status of one or more of the call participants;~~

determining whether the caller is a call host having administrative rights not available to other call participants,~~;~~ and initiating presentation of said GUI element being

a host GUI including advanced call controls ~~to the caller~~ when the caller is the call host, the host GUI different than a participant GUI presented to ~~the~~ other call participants; and

updating the GUI element in response to a change in a status of one or more of the call participants, the updating including indicating a desire of a call participant to speak by displaying an indicator next to the name of the call participant desiring to speak in the listing of names of call participants associated with the collaborative call.

15. (Currently Amended) The method of claim 42-1, further comprising:

~~updating the GUI element to include an indication of the desire;~~

recognizing a subsequent communication by the ~~first~~ call participant desiring to speak; and

updating the GUI element to remove the ~~indication~~ indicator.

23. (Currently Amended) A computer-readable medium comprising computer-readable data executable by a processor to:

initiate presentation of a host graphical user interface (GUI) in connection with a collaborative call, the host GUI comprising an administrator icon and a listing of names of call participants associated with the collaborative call, the host GUI providing advanced call controls not available to other call participants;

initiate presentation of a participant GUI having an appearance different than the host GUI by a presentation engine to a device associated with a caller joining in the collaborative call, after the caller has been identified, ~~wherein the caller is identified via voice recognition; and~~

update information presented in the host GUI in response to a change of status of a call participant, the updating including indicating a desire of a call participant to speak next by displaying an indicator to the name of the call participant desiring to speak in the listing of names of call participants associated with the collaborative call.

29. (Currently Amended) A collaborative call system, comprising:

a computing device operable to be communicatively coupled to a remote host station and a remote participant station;

a participant status engine operable to execute on a computing platform and to track a status associated with a corresponding participant of a collaborative call[[,]] ~~wherein the status is selected from a group consisting of an on-call state, an off-call state, a currently speaking state, a waiting to speak state, and a paused-call state; and~~

a presentation engine associated with the participant status engine, the presentation engine operable to initiate presentation of a first graphical user interface (GUI) on the remote host station associated with a host having administrative rights not available to other call participants, after the host is identified, and a second GUI on the

remote participant station associated with a caller, after the caller joining the collaborative call is identified, the first GUI presenting advanced call controls that are not presented by the second GUI and a listing of names of call participants associated with the collaborative call, the caller identified via voice recognition; and

a next to speak engine associated with the presentation engine, the next to speak engine operable to recognize a desire of a call participant to speak and to initiate presentation of an indicator next to the name of the call participant desiring to speak in the listing of names of call participants associated with the collaborative call in the first GUI.

38. (Currently Amended) A method comprising:

presenting a host graphical user interface (GUI) element automatically from a presentation engine to a device associated with a caller joining a collaborative call comprising call participants, after the caller has been identified as a host having administrative rights not available to other call participants via voice recognition, the host GUI element operable to display a listing of names of the call participants, the listing including a participant status associated with each of the call participant[[s]] names, wherein the host GUI element includes advanced call controls that are not presented by a participant GUI presented from the presentation engine to other call participants [[,]] ~~and wherein the caller is identified as the host via voice recognition; and~~

updating ~~information presented in~~ the host GUI element in response to a change in the participant status of one of the call participants, the updating including indicating a desire of one of the call participants to speak by displaying an indicator next to the name of the one of the call participants desiring to speak in the listing of names of call participants associated with the collaborative call;

wherein the participant status is related to activity by the corresponding call participant during the collaborative call.

41. (Currently Amended) The method of claim 38, further comprising automatically delivering an audible indication to the call participants when ~~[[a]]~~ the host begins speaking.

REASONS FOR ALLOWANCE

The following is an examiner's statement of reasons for allowance:

The Examiner deems, Fenton et al. (US 5,619,555) hereinafter Fenton, Rambo (US 2005/0015444 A1), Pickett (US 6,154,465), Weisman et al. (US 2004/0047461 A1) hereinafter Weisman, Nakata et al. (2003/0169291) hereinafter Nakata, Goldman et al. (US 6,134,235) hereinafter Goldman, Santos (US 2003/0158900 A1), Simon (US 5,859,663), Dunn et al. (US 5,916,302) hereinafter Dunn, Ghani (US 2002/0087592 A1) hereinafter Ghani, Kwak et al. (US 6,457,043 B1) hereinafter Kwak to be relevant prior arts, wherein Fenton being the closest prior arts. Independent claims 1, 23, 29, and 38, when considered as a whole, are allowable over the above mentioned prior art made of record.

Independent claims 1, 23, 29, and 38, when considered as a whole require presenting a host GUI to a host and a participant GUI to a participant based on caller identification via voice recognition, wherein the host GUI is different than the participant GUI, and specifically indicating a desire of a call participant to speak by displaying an indicator next to the name of the call participant desiring to speak in the listing of names of call participants associated with the collaborative call. Fenton appears to implicitly teach presenting two different types of GUIs to host and other participants, but fails to teach identifying the participants via voice recognition and indicating a desire of a call participant to speak by displaying an indicator next to the name of the call participant desiring to speak in the listing of names of call participants associated with the collaborative call. Santos teaches identifying participants using voice recognition (see

[0017] to [0019] and also [0027]). However, Santos fails to cure the deficiency of Fenton with respect to the limitation concerning indicating a desire of a call participant to speak. Weisman, Simon, Dunn, Ghani, and Kwak each teaches a collaborative call GUI that allows a participant to indicate a desire to speak, but none of them provides the indication by displaying an indicator next to the name of the call participant desiring to speak in the listing of names of call participants associated with the collaborative call. Weisman and Ghani displays the indication by adding the name of a call participant desiring to speak in a queue of participants waiting to speak and displaying the queue in a separate window. Dunn and Kwak do not provide much detail on how the indication of a participant desiring to speak is provided on the GUI. Thus, none of the prior art reference cited above either alone or in combination teach or suggest all the limitations of the independent claims. Therefore, independent claims 1, 23, 29, and 38 are considered allowable over the cited prior arts of record. The dependent claims further add limitations to the allowable subject matter of their respective independent claims. Therefore, all the pending claims are considered allowable over the prior arts of record.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to RASHEDUL HASSAN whose telephone number is (571)272-9481. The examiner can normally be reached on M-F 7:30AM - 4PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Weilun Lo can be reached on 571-272-4847. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Rashedul Hassan/
Examiner, Art Unit 2179

/Weilun Lo/
Supervisory Patent Examiner, Art Unit 2179